

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. 200400391
Issue Date: March 12, 2004
Expiration Date: April 2, 2004**

21-Day Notice

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

APPLICANT: Ralph Kloeppel
36367 Highway N
Dixon, Mo 65459-6239

AUTHORIZED AGENT: Scott Veasman
12714 Maries Road 611
Brinktown, Mo. 65443

PROJECT LOCATION (As shown on the attached drawings): Approximately 2 miles east of Brinktown, Missouri, in the Maries River immediately upstream from the Missouri Route N bridge, in Section 8, Township 39 north, Range 10 west, Maries County, Missouri. (BIG BEND QUADRANGLE)

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings): **Proposed:** The applicant proposes to combine the use of a cedar tree revetment, unconsolidated gravel and willow plantings in an attempt to construct a toe revetment for bank protection purposes using locally obtainable natural resources along approximately 750 linear feet of the left descending bank of the Maries River. Between six to eight cedar trees will be added to an existing single row cedar tree revetment, six to eight cedar trees long, covered with approximately 2,500 cubic yards of unconsolidated gravel and planted with sapling willows. The cedar trees will be attached to the existing trees along the toe of the bank and anchored to trees located on the high bank. The applicant proposes to double the number of cedar trees in the revetment to expand the length of protection along the unstable bankline. Gravel for the project will be obtained from two stable gravel bars located opposite the eroding bankline. A front-end loader with an excavator bucket will be used during a period of low current flow to excavate and push gravel from the two gravel bars across the river and redistribute the material over the cedar tree revetment and other areas of the bank that are not protected by cedar trees. The existing gravel bars are composed of rock measuring in size between 2 inches in diameter to 10 inches in diameter. Willow saplings taken off the two gravel bars will be sprigged or pushed into the relocated gravel at the riverward side of the revetment in an attempt to anchor the unconsolidated material. The applicant proposes to maintain gravel over the cedar tree revetment on an "as-need" basis by periodically pushing more gravel to the revetment from the two opposing gravel bars. The activity may cover up to two-thirds of the 6-foot-tall to 8-foot-tall vertical bank. The applicant does not plan to reestablish a riparian corridor along the high bank of the eroding bankline but would participate in monitoring the success of the work.

The project has been approved for financial and technical assistance through the United States Department of Agriculture, Natural Resources Conservation Service, Environmental Quality Incentives Program (EQIP), for management conservation practices on agricultural land.

The applicant's stated purpose for this work is to remove a portion of the existing gravel bars from the river and use the material to blanket the eroding bank, thereby, reestablishing the prior channel location within the existing banks and provide some degree of armoring to the actively eroding bankline.

SPECIAL AQUATIC SITES: No known wetlands will be impacted by this work, however, one riffle measuring approximately 90-feet-long by 40-feet-wide may be impacted at the upstream end of the project.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by writing **Mr. James A. Ptacek, Missouri State Regulatory Office, 221 Bolivar Street, Suite 103, Jefferson City, Missouri 65101; telephone No. 573-634-2248, ext. 105 (FAX No. 573-634-7960) or emailing james.a.ptacek@usace.army.mil.** All comments to this public notice should be directed to the above address.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

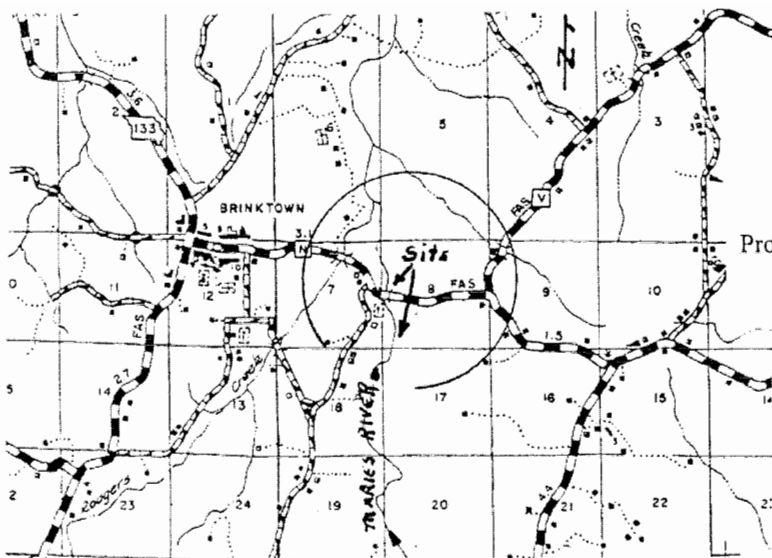
WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and

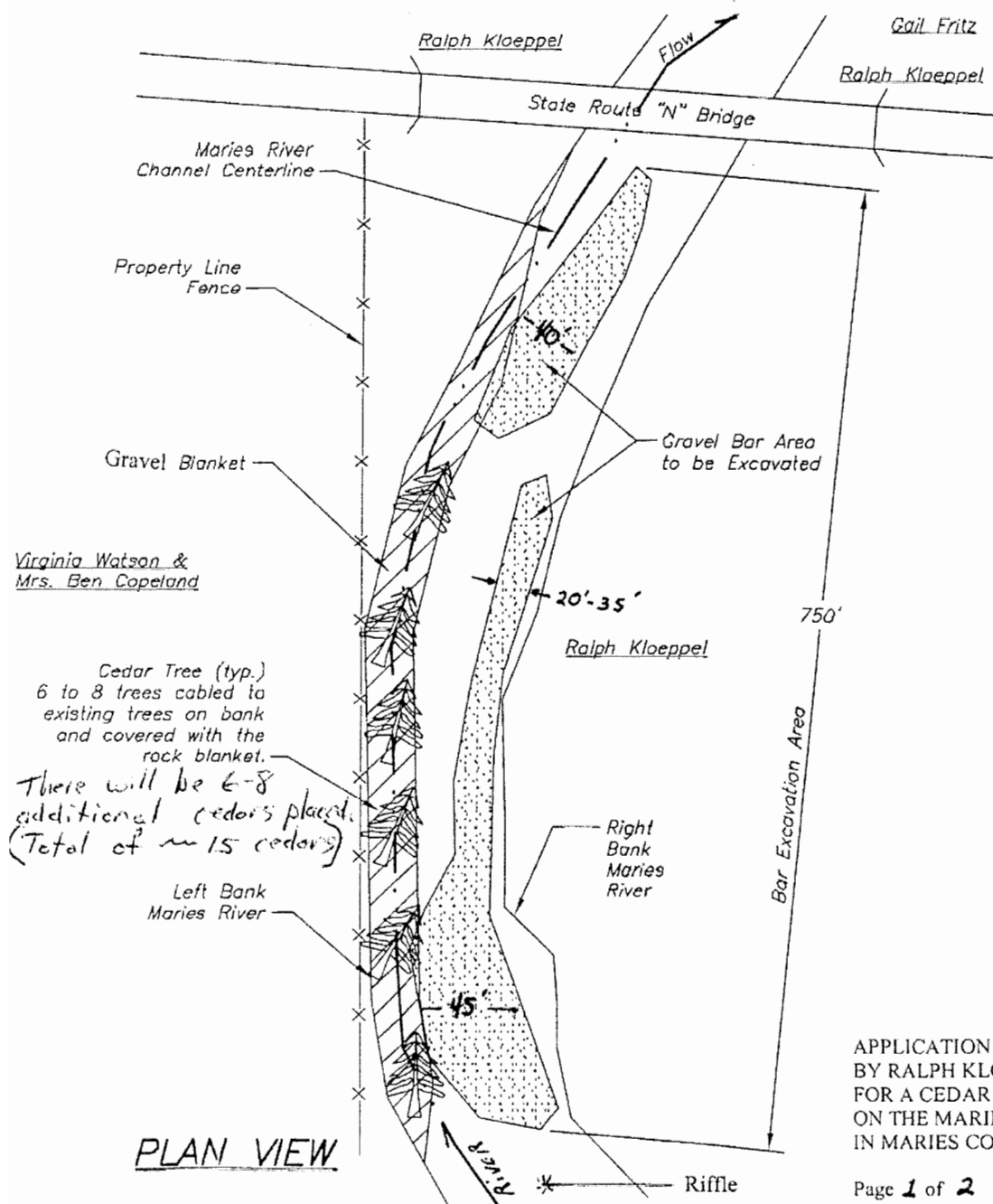
fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

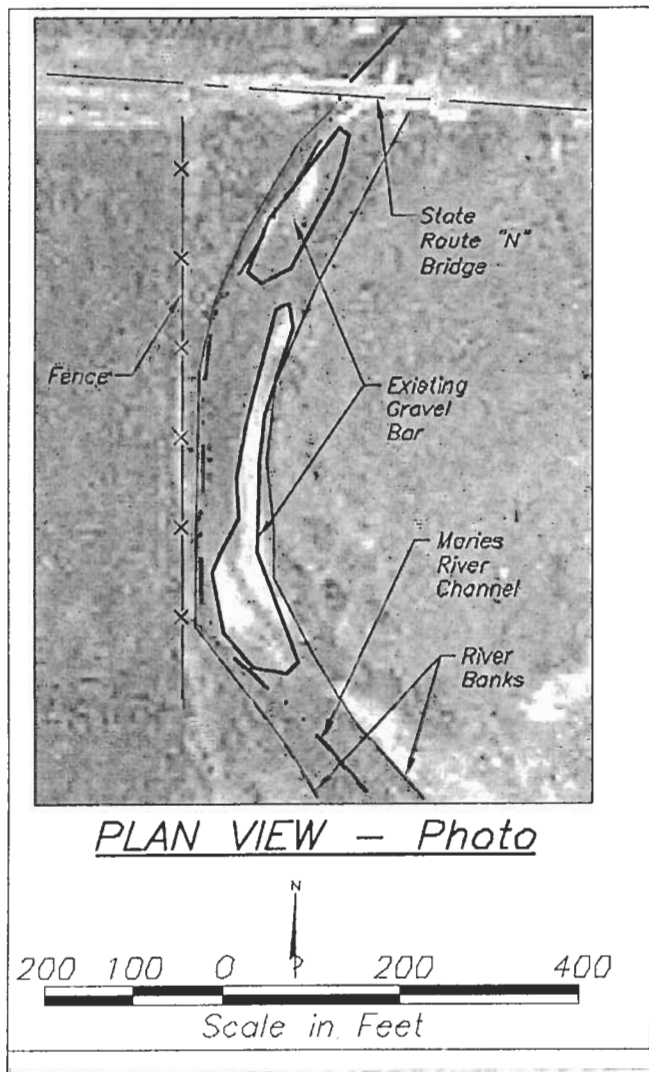
PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.



Project Location: Maries River in Section 8, Township 39 north,
Range 10 west, Maries County, Missouri



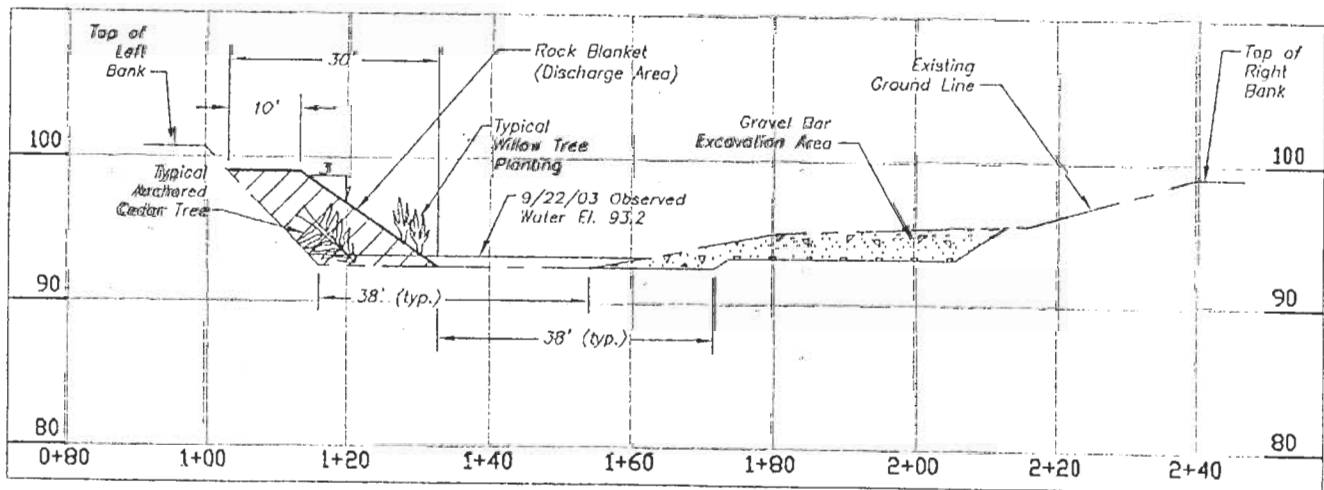
APPLICATION NO. 200400391
BY RALPH KLOEPPEL & SCOTT VEASMAN
FOR A CEDAR TREE AND GRAVEL REVETMENT
ON THE MARIES RIVER
IN MARIES COUNTY, MISSOURI



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Note: Assumed Vertical
Datum (Not MSL)

TYPICAL SECTION